TO THE CLERK OF COURT, DEFENDANTS AND THEIR ATTORNEYS OF 1 2 RECORD: 3 PLEASE TAKE NOTICE that the parties are not availing themselves of their rights 4 under 28 U.S.C. section 636(c), and intend to have trial in this matter (whether jury or bench trial) presided over by United States District Court Judge Jeffrey T. Miller. 6 7 DATED: June 30, 2008 Respectfully Submitted, 8 **HOWREY LLP** 9 10 /s/ Dale J. Giali DALE J. GIALI 11 12 Attorneys for Plaintiffs BMW of North America, LLC and 13 Bayerische Motoren Werke AG 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 Case No. 08-CV-0171 JM WMc NOTICE OF INTENT TO PROCEED TO TRIAL BEFORE U.S.D.J. JEFFREY T. MILLER

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